



HON. SYLVIA O. HINDS-RADIX  
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June 29, 2023

**VIA ECF**

Honorable Vera M. Scanlon  
United States Magistrate Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Valentine v. City of New York, et al., 21-CV-4867 (EK) (VMS)

Your Honor:

I am an Assistant Corporation Counsel in the Office of the Honorable Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, attorney assigned to the defense in the above-referenced matter. Defendants write to respectfully request a stay of Your Honor's June 14, 2023 Order in light of Defendants' Rule 72 Motion, which was filed earlier today. (*See* Dkt. No. 64).

By way of background, Defendants filed a motion for a protective order on March 20, 2023 requesting that they be relieved of any obligation to respond to the 360 Requests for Admissions ("RFA") and select interrogatories propounded by plaintiff due to undue burden, futility, and the risk of false identification. (Dkt. No. 53). Plaintiff opposed the motion on March 23, 2023, arguing in part that they did not have the necessary information to identify personally involved defendants. (Dkt. No. 55). Your Honor denied Defendants' motion on June 14, 2023, and advanced certain deadlines that were previously set for weeks or months later. (Dkt. No. 62, dated June 14, 2023, ruling on motion, "Defendants are to comply with the March 6, 2023 Order, and are to respond to Plaintiff's outstanding discovery requests, within fourteen days of the date of this Order, and Plaintiff is to file a second amended complaint on or before July 5, 2023."); (Dkt. Entry dtd. May 22, 2023, "Responses to initial document requests and interrogatories are due on or before 7/21/2023. Any joinder and/or amendments of the pleadings must be made by 8/18/2023.").

Defendants have objected to Your Honor's June 14, 2023 Opinion. Therefore, Defendants respectfully request a stay of Your Honor's June 14, 2023 Order pending resolution of Defendants' motion pursuant to Rule 72 by the Honorable Eric Komitee.<sup>1</sup>

Defendants thank the Court for its time and consideration herein.

Respectfully submitted,

A handwritten signature in black ink that reads "Mary K. Sherwood". The signature is written in a cursive, flowing style.

Mary K. Sherwood  
*Assistant Corporation Counsel*  
Special Federal Litigation Division

Cc: All Counsel of Record (via ECF)

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<sup>1</sup> For the Court's information, Defendants intend to serve responses to Plaintiff's Request for Production of Documents and interrogatories that are not relevant to the Rule 72 Motion by July 18, 2023—consistent with Your Honor's May 22, 2023 Order—even if a decision has not yet been filed.